

Court of Appeals, Division One

Criminal

1 CA-CR 16-0189

STATE v. MALIN

Appellate Case Information

Case Filed: **24-Mar-2016**

Case Closed: **13-Jan-2017**

Decision

Dept/Composition

Department D

Hon. Andrew W. Gould

Hon. Peter B Swann

Hon. Patricia A Orozco

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorney for: Appellee

Joseph T Maziarz, Esq. (AZ Bar No. 9212)

Side 2. RICK EUGENE MALIN, Appellant

(Litigant Group) RICK EUGENE MALIN

- Rick Eugene Malin

Attorney for: Appellant

David Goldberg, Esq. (AZ Bar No. 12726)

CASE STATUS

Jan 13, 2017....**Case Closed**

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
LAP S1500CR201400171	Aggravated Driving While Subject to an Interlock Device and an Alcohol Concentration or .08 or More Within Two Hours of Driving; Aggravated Driving While Subject to an Interlock Device and Under the Influence	1.50 Years; 1.50 Years	Samuel E Vederman, Sentencing	JURY	

CASE DECISION

29-Nov-2016 MEMORANDUM DECISION

Andrew Gould.....Author

Peter Swann.....Concur

Patricia Orozco.....Concur

Filed: **29-Nov-2016**

Mandate: **13-Jan-2017**

Decision Disposition

Affirmed

28 PROCEEDING ENTRIES

- 29-Feb-2016 FILED: Courtesy Copy of Notice of Filing of Appeal From Superior Court
- 24-Mar-2016 FILED: Notice of Appeal from La Paz County Superior Court filed 02/24/16 - Notification to Court Reporters filed 3/1/16
- 24-Mar-2016 FILED: Record on Appeal:
Combined Instruments/Minute Entries
Disposition Report: #123, Filed 2/22/16
Exhibits: Hearing Date 10/06/15 - List and #7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54
Hearing Date 1/12/15 - List and #1, 2, 3, 4, 5, 6
Confidential Criminal History: #128, Filed 2/22/16
Reporter's Transcript: 3/24/16 (SEALED) [Juliette L. Vidaurri]
- 6-Apr-2016 FILED: Request for Extension (Court Reporter Sharon E. Bradley)
- 6-Apr-2016 ORDERED: Extending until 5/11/16 the deadline for Sharon Bradley to file the transcripts of 11/24/14,, 2/9/15, 10/6/15, 10/7/15, 10/8/15, 2/22/16. FURTHER ORDERED: OSC 5/18/16 at 2:30. Hon Samuel A Thumma - Author
- 4-May-2016 FILED: Appellant's Motion to Supplement the Record; Appellant's Certificate of Service (Appellant)
- 5-May-2016 FILED: Request for Second Extension (of Time to File Transcripts) (Sharon Bradley)

Court of Appeals, Division One**Criminal****1 CA-CR 16-0189****STATE v. MALIN****28 PROCEEDING ENTRIES**

8. 10-May-2016 ORDERED: Appellant's Motion to Supplement the Record (Appellant) = GRANTED/Transcripts due 06/06/2016. FURTHER ORDERED: Denying to extend the time for filing of the opening brief as unnecessary as the Notice of Completion has not issued. Anthony Mackey ProTem Judge - Author
9. 17-May-2016 FILED: Reporter's Transcript - 2/9/15 - Evidentiary Hearing (Sharon Bradley)
10. 17-May-2016 FILED: Reporter's Transcript - 10/6/15 - Jury Trial Day 1 (Sharon Bradley)
11. 17-May-2016 FILED: Reporter's Transcript - 10/7/15 - Jury Trial Day 2 (Sharon Bradley)
12. 17-May-2016 FILED: Reporter's Transcript - 10/8/15 - Jury Trial Day 3 (Sharon Bradley)
13. 17-May-2016 FILED: Reporter's Transcript - 11/24/14 - Donald Hearing (Sharon Bradley)
14. 17-May-2016 FILED: Reporter's Transcript - 2/22/16 - Judgment and Sentencing (Sharon Bradley)
15. 2-Jun-2016 ORDERED: Request for Second Extension (of Time to File Transcripts) (Sharon Bradley) = DENIED/as moot. FURTHER ORDERED: Accepting the transcripts as timely filed. Anthony Mackey ProTem Judge - Author
16. 2-Jun-2016 FILED: Notice of Completion of Record
17. 29-Jun-2016 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service (Appellant)
18. 8-Jul-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
19. 15-Aug-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
20. 30-Aug-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
21. 6-Sep-2016 FILED: Appellant's Notice of Intent to Not File a Reply Brief; Appellant's Certificate of Service (Appellant)
22. 6-Sep-2016 FILED: Appellant's Certificate of Service (Appellant)
23. 6-Sep-2016 Record Receipt Noted - ENTIRE RECORD FILED - There is no additional electronic or physical record to be transmitted.
24. 26-Sep-2016 CLNDR: CONFERENCE, Department D, 11-8-16, COURTROOM 2.
25. 29-Nov-2016 MEMORANDUM DECISION (Affirmed) Hon Andrew W Gould - Author; Hon Peter B Swann - Concur; Hon Patricia A Orozco - Concur
26. 29-Nov-2016 FILED: Memorandum Decision Distribution List
27. 13-Jan-2017 FILED: Mandate, No record returned to superior court.
28. 13-Jan-2017 FILED: Letter, 01/13/2017, to Dept Public Safety, re: certified copy of this Court's Mandate dated 01/13/2017/final disposition report